

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF IOWA  
CEDAR RAPIDS DIVISION**

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HUNTER'S SPECIALTIES, INC.,	)	
	)	Civil Action No. 1:10-cv-00024-EJM
Plaintiff,	)	
	)	Judge Edward J. McManus
v.	)	
	)	
HUNTER 2 HUNTER EQUIPMENT, INC.,	)	
	)	
Defendant.	)	
	)	

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**HUNTER'S SPECIALTIES' ANSWER TO HUNTER 2 HUNTER'S COUNTERCLAIMS**

Plaintiff and Counter-Defendant, Hunter's Specialties, Inc. ("Hunter's Specialties"), answers the counterclaims filed by Defendant and Counter-Plaintiff, Hunter 2 Hunter Equipment, Inc. ("Hunter 2 Hunter"), by and through its attorneys, as follows:

21. Hunter's Specialties admits that this purports to be a counterclaim for declaratory judgment pursuant to Rule 13(a) of the Federal Rules of Civil Procedure and 28 U.S.C. §§ 2201–2202; however, Hunter's Specialties denies any remaining allegations of this paragraph and denies that Hunter 2 Hunter is entitled to any of the relief it requests.

22. Admitted.

23. Admitted.

24. Admitted.

**First Counterclaim—Declaratory Judgment of Noninfringement**

25. Admitted.

26. Admitted.

27. Denied.

28. Denied.

29. Denied.

**Second Counterclaim—Declaratory Judgment of Invalidity**

30. Hunter's Specialties realleges paragraphs 1–13 of its Complaint and its answers to paragraphs 21–39 above.

31. Denied.

**RESERVATION OF RIGHTS**

Hunter's Specialties' investigation of the matters alleged in Hunter 2 Hunter's counterclaims is ongoing. Hunter's Specialties reserves the right to assert additional defenses as they become known through discovery and trial preparation.

**PRAYER FOR RELIEF**

Wherefore, Hunter's Specialties denies that Hunter 2 Hunter is entitled to the relief requested in its prayer for relief or any other relief, and Hunter's Specialties requests the relief pleaded in its Complaint and the following further relief:

- A. Judgment that Hunter 2 Hunter's counterclaims be dismissed with prejudice;
- B. Judgment that this is an exceptional case pursuant to 35 U.S.C. § 285, and an award to Hunter's Specialties of its attorneys' fees, costs, and expenses in these counterclaims;
- C. Any and all relief requested in Hunter's Specialties' original Complaint; and
- D. Such other and further relief as the Court may deem just and proper.

Respectfully submitted,

/s/ Jeffrey D. Harty  
Edmund J. Sease  
Jeffrey D. Harty  
Bradley J. Powers  
McKEE, VOORHEES & SEASE, P.L.C.  
801 Grand Avenue, Suite 3200  
Des Moines, IA 50309-2721  
Phone: 515-288-3667  
Fax: 515-288-1338  
Email: ed.sease@ipmvs.com  
Email: jeff.harty@ipmvs.com  
Email: brad.powers@ipmvs.com  
Email: mvslit@ipmvs.com

*ATTORNEYS FOR PLAINTIFF*

#### **CERTIFICATE OF SERVICE**

I hereby certify that on July 26, 2010, I filed the foregoing with the Clerk of Court using the ECF system which will send notification of such filing to the following:

Brian J. Laurenzo  
Rush Nigut  
Brick Gentry, P.C.  
6701 Westown Parkway, Suite 100  
Telephone: (515) 274-1450  
Facsimile: (515) 274-1488  
Email: brian.laurenzo@brickgentrylaw.com  
Email: rush.nigut@brickgentrylaw.com

/s/ Jeffrey D. Harty